



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

December 10, 2008

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Agenda No. 46
09/09/08

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

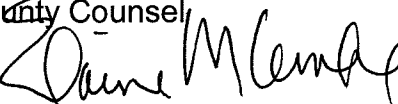
**Re: PROJECT NUMBER TR067377-(2)
LOCAL PLAN AMENDMENT CASE NUMBER 2006-00006-(2)
SECOND SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced application for a general plan amendment to facilitate a 69-unit detached condominium project in the West Athens-Westmont Zoned District. At the completion of the hearing you indicated an intent to approve the proposed local plan amendment and instructed us to prepare the appropriate resolution for approval. Enclosed is an appropriate resolution for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 

ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel

EML:vn

Enclosures

HOA.567806.1

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
RELATING TO THE ADOPTION OF LOCAL PLAN AMENDMENT
CASE NUMBER 2006-00006-(2)**

WHEREAS, Article 6 of Chapter 3 of Division 1 of Title 7 of the Government Code of the State of California (commencing with section 65350) provides for adoption of amendments to county general plans; and

WHEREAS, the Board of Supervisors of the County of Los Angeles ("Board of Supervisors") conducted a public hearing on September 9, 2008, regarding Local Plan Amendment Case No. 2006-00006-(2), Zone Change Case No. 2006-00007-(2), Vesting Tentative Tract Map No. 067377, and Conditional Use Permit Case No. 2006-00158-(2); and

WHEREAS, the Board of Supervisors finds as follows:

1. The applicant has requested a Local Plan Amendment ("Plan Amendment") to amend the West Athens-Westmont Neighborhood Plan ("Plan") Land Use Policy Map to change the land use designation of the subject property from RD 2.3 (Single-Family Residence-Eight Units or Fewer per Acre) to RD 3.1 (Two-Family Residence-17 Units or Fewer Per Acre) on the 7.0 gross-acre site.
2. The subject property is located at 1535 West 120th Street in the West Athens-Westmont Zoned District.
3. The irregularly-shaped property is 7.0 gross acres (6.87 net acres) in size with level topography.
4. Access to the proposed development is provided by 120th Street, which is an 80-foot-wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The property is also located near a Metro Green Line station.
5. The Plan Amendment request was heard concurrently with Zone Change Case No. 2006-00007-(2), Vesting Tentative Tract Map Case No. 067377, and Conditional Use Permit Case No. 2006-00158-(2).
6. The Zone Change is a related request to authorize a change of zone from R-1 (Single-Family Residential-5,000 Square Feet Minimum Required Lot Area) to Residential Planned Development ("RPD")-5000-10U (Residential Planned Development-5,000 Square Feet Minimum Required Lot Area-10 Units Per Net Acre) at the 7.0 gross-acre site.
7. Vesting Tentative Tract Map No. 067377 is a related request to create one multi-family residential lot with 69 new detached condominium units and one private park lot on a combined 6.87 net acres.

8. Conditional Use Permit Case No. 2006-00158-(2) is a related request to allow a planned residential development in compliance with the RPD provisions in Title 22 of the Los Angeles County Code ("County Code"). As part of the RPD provisions, the applicant is requesting modification of the following development standards:
 - a. Modification of building separation requirements from 10 feet to seven feet as depicted on the approved Exhibit "A";
 - b. Modification to the rear-yard setback for Unit 21 from 15 feet to five feet as depicted on the approved Exhibit "A"; and
 - c. Modification of the maximum permitted wall height of three-and-one-half feet in the front-yard setback to allow a six-foot-high masonry wall, as depicted on the approved Exhibit "A."
9. The conditional use permit site plan, labeled as Exhibit "A," depicts the subject property. It is a gated residential development of one multi-family lot with 69 detached condominium units on approximately 4.5 acres and a private park lot on 2.3 acres for a total of 6.87 net acres. The residential units are arranged along six main internal 28-foot-wide private driveways, which, along with a fire lane, provide internal access. The main gated point of entry and exit for residents is 120th Street. To ensure adequate access for the Fire Department, the applicant is proposing a 64-foot-wide turning radius at the entry and exit gates. Pursuant to the County Code, two parking spaces are required for each of the 69 units, totaling 138 spaces, and one guest parking space is required for every four dwelling units totaling 18 guest spaces, resulting in a minimum of 156 parking spaces required for the project. The project exceeds the minimum requirement, providing 175 parking spaces. The proposed parking includes 37 guest parking spaces (28 standard parking spaces and nine compact parking spaces), which will be located along four of the six private driveways. Of these 37 spaces, 10 will be located on the north side of the driveway fronting on 120th Street, 18 will be located to the rear of the project site on the south side of the driveway adjacent to Unit Nos. 22, 29, 36, and 43, and the nine compact parking spaces will be located along the easterly boundary line of the project site. Also, 138 parking spaces are provided within the two-car garages provided for the 69 detached condominium units. Individual units range in size from 1,760 to 1,956 square feet and are offered as three-story homes. The units reach a maximum height of 35 feet. As part of the 30 percent open space requirement for the RPD zone, the proposed development includes approximately 2.7 net acres (39 percent of the subject property) of landscaped areas and a private park lot. Included in the project's landscaped area are individual private areas, parkway landscaping, and landscaped common areas. Grading consists of 17,301 cubic yards of earthwork to be balanced on site. A maximum six-foot wall is proposed along the perimeter of the property to buffer it from adjacent homes.

10. The property is depicted in the RD 2.3 category on the Plan's Land Use Policy Map, a component of the Los Angeles Countywide General Plan ("General Plan"). The applicant is requesting the Plan Amendment to change the land use designation to RD 3.1 ("Plan Amendment"). Under the proposed land use category, the property's 6.87 net acres has a maximum density of 115 dwelling units. The project proposes 69 dwelling units, which is below the maximum allowed in RD 3.1.
11. The project is consistent with the proposed RPD zoning classification. Detached units are permitted in the RPD zone pursuant to Section 22.20.460.B.3.a of the Los Angeles County Code ("County Code"). The proposed density of 69 dwelling units is consistent with the maximum dwelling units that can be accommodated by the RPD-5,000-10U zoning. The applicant has requested a CUP to allow a planned residential development in compliance with RPD provisions. As part of the RPD provisions, the applicant is requesting modification of the development standards related to building separation, a rear-yard setback, and wall height in the front-yard setback as set forth in Finding No. 8 above.
12. Modified conditions warrant a revision to the Plan as it pertains to the subject property because urban residential housing is needed. In addition, the additional density allowed under the Plan Amendment will allow the applicant to recoup the substantial funds it is spending to remediate the blighted contaminated property.
13. In reaching its decision, the Board of Supervisors has considered the whole record, including any testimony for and against the project.
14. The proposed Plan Amendment is consistent with the goals and policies of the General Plan. The proposed project will increase the supply of housing, promotes the efficient use of land, concentrates housing near public transit services, promotes urban development at a density compatible in the surrounding area, and converts and remediates blighted and contaminated property.
15. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act ("CEQA") (Public Resources Code section 21000 et seq.), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County. The Initial Study showed that there is no substantial evidence the project will have a significant adverse effect on the environment. Based on the Initial Study, a Negative Declaration was prepared for this project. The Board of Supervisors determined that a Negative Declaration is the appropriate environmental documentation for this project under CEQA reporting requirements. On September 9, 2008, the Board of Supervisors adopted the Negative Declaration for the proposed project.

16. The Board of Supervisors finds that the Negative Declaration previously approved for the project accurately reflects the independent judgment of the Board of Supervisors as to the environmental consequences of the project and the project will not have a significant adverse impact on the environment.
17. The Plan Amendment is in the interest of public health, safety, and the general welfare and conforms to good planning practices.

THEREFORE, BE IT RESOLVED THAT THE BOARD OF SUPERVISORS:

1. Certifies that the Negative Declaration prepared for the project was completed in compliance with CEQA, and the State and County guidelines related thereto and reflects the independent judgment of the Board of Supervisors;
2. Certifies that it adopted the Negative Declaration prepared for the project at the conclusion of its public hearing on the project and certifies that it has reviewed and considered the information contained therein;
3. Finds that the proposed General Plan Amendment is consistent with the goals, policies, and programs of the General Plan; and
4. Adopts Local Plan Amendment Case No. 2006-00006-(2) amending the Land Use Policy map of the West Athens-Westmont Neighborhood Plan as shown on the attachment.

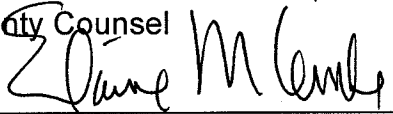
The foregoing was on the _____ day of _____, 2009, adopted by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all other special assessment and taxing districts, agencies, and authorities for which said Board so acts.

SACHI A. HAMAI, Executive Officer-
Clerk of the Board of Supervisors of
the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
County Counsel

By 
Deputy

Attachment

AMENDMENT TO COUNTYWIDE GENERAL PLAN

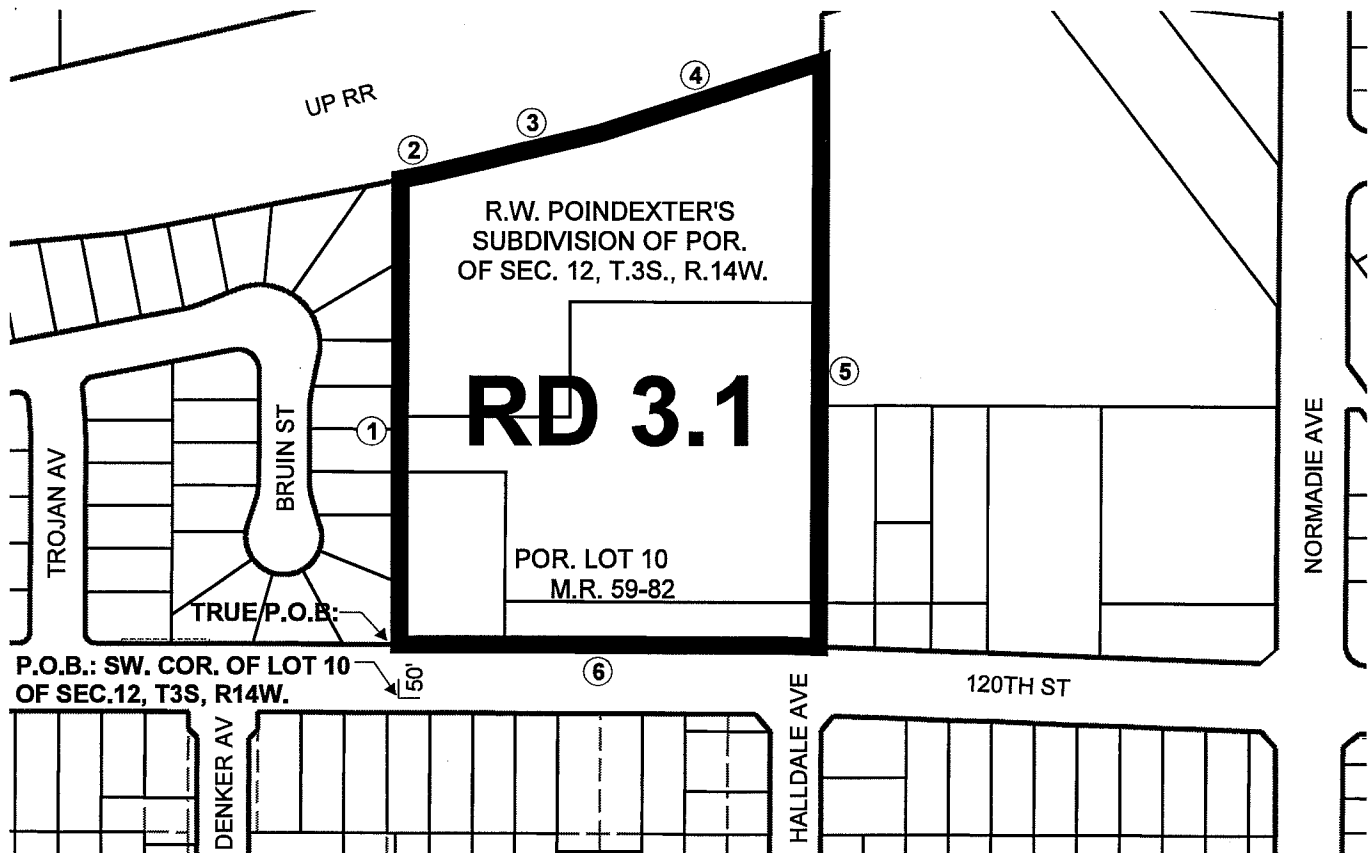
WEST ATHENS - WESTMONT AREA

PLAN AMENDMENT: 2006-00006 (2)

ON: _____

CATEGORY RD 2.3 TO RD 3.1

(PROPOSED: TWO FAMILY RESIDENCE [8 TO 17 DU/AC])









LEGAL DESCRIPTION:

THAT PORTION OF LOT 10 OF THE R.W. POINDEXTER'S SUBDIVISION OF A POR. OF SEC.12, T.3S., R.14W., SAN BERNARDINO MERIDIAN, IN THE COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, RECORDED IN BOOK 59 AT PAGE 82 OF MISCELLANEOUS RECORDS OF SAID COUNTY, DESCRIBED AS FOLLOWS: BEGINNING AT THE SW. COR. OF SAID LOT 10, THENCE, ALONG THE W. LINE OF SAID LOT 10, N.00-04-16W. 50' TO THE TRUE POINT OF BEGINNING;

- ① THENCE, N.00-04-16W. 541.49' TO A POINT ON THE S'LY LINE OF THE LAND CONVEYED TO SAID STATE BY INSTRUMENT NO. 85-1166502 (10/07/1985), OFFICIAL RECORDS OF SAID COUNTY;
- ② THENCE, ALONG SAID S'LY LINE, N.78-43-16E. 33.45';
- ③ THENCE, ALONG SAID S'LY LINE, N.76-22-19E. 206.75';
- ④ THENCE, ALONG SAID S'LY LINE, N.72-03-22E. 273.20';
- ⑤ THENCE, ALONG THE E. LINE OF SAID LOT, S.00-06-32E. 681.37';
- ⑥ THENCE, N.89-57-00W. 494.27' TO THE TRUE POINT OF BEGINNING

LEGEND:

-  PARCELS
-  STREET / RIGHT OF WAY
-  LOT LINE
-  CUT/DEED LINE
-  EASEMENT LINE
-  ZONE CHANGE AREA



0 100 200

FEET

COUNTY ZONING MAP
084H193

DIGITAL DESCRIPTION: ZCOVD_W_ATHENS_WESTMONT\

THE REGIONAL PLANNING COMMISSION

COUNTY OF LOS ANGELES

HAROLD V. HELSLEY, CHAIR

BRUCE W. McCLENDON, PLANNING DIRECTOR



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OFFICE OF THE COUNTY COUNSEL

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December 10, 2008

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Agenda No. 46
09/09/08

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

**Re: PROJECT NUMBER TR067377-(2)
VESTING TENTATIVE TRACT MAP NUMBER 067377-(2)
SECOND SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced subdivision which proposes creation of a 69-unit detached condominium project in the West Athens-Westmont Zoned District. At the completion of the hearing you indicated an intent to approve the subdivision and instructed us to prepare findings and conditions for approval. Enclosed are findings and conditions for your consideration.

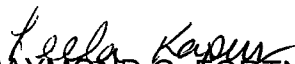
Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 

ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel

EML:vn

Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
VESTING TENTATIVE TRACT MAP NO. 067377-(2)**

1. The applicant, South Coast Communities representing White Flower Nursery Company, is requesting a Vesting Tentative Tract Map, Conditional Use Permit, Local Plan Amendment, and Zone Change to allow development of 69 detached condominium units with two covered parking spaces per unit on approximately 4.5 net acres in addition to an adjacent 2.3-acre private park primarily for the use of the development's residents. In addition to the park, other open space on the project property will be used for individual private areas, parkway landscaping, and landscaped common areas. The park, in conjunction with these open areas, results in 39 percent of the subject property being reserved for open space uses.
2. The Los Angeles County Board of Supervisors ("Board") conducted a duly-noticed public hearing on September 9, 2008, in the matter of Vesting Tentative Tract Map No. 067377-(2) ("Vesting Map"), heard concurrently with Local Plan Amendment Case No. 2006-00006-(2) ("Plan Amendment"), Zone Change Case No. 2006-00007-(2) ("Zone Change"), and Conditional Use Permit Case No. 2006-00158-(2) ("CUP").
3. Previously, the Los Angeles County Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on the Vesting Map, CUP, Plan Amendment, and Zone Change on December 19, 2007, March 19, 2008, and May 7, 2008.
4. The Vesting Map proposes a residential development of one multi-family lot with 69 new detached condominium units on 7.0 gross acres.
5. The subject site is located at 1535 West 120th Street in the West Athens-Westmont Zoned District.
6. The irregularly-shaped property is 7.0 gross acres (6.87 net acres) in size with level topography.
7. Access to the proposed development is provided by 120th Street, an 80-foot-wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The property is also located near a Metro Green Line station.
8. The project site is currently zoned R-1 (Single-Family Residential-5,000 Square Feet Minimum Required Lot Area), which was established by Ordinance No. 4558 and became effective on November 8, 1945. The project proposes a Zone Change to Residential Planned Development ("RPD")-5,000-10U (RPD-5,000 Square Feet Minimum Required Lot Area-10 Units Per Net Acre).

9. Surrounding zoning includes A-1 (Light Agricultural-5,000 Square Feet Minimum Area) to the north and R-1 to the east, west, and south.
10. The subject property consists of four lots, which are currently used as a nursery. Surrounding uses include freeway and railroad right-of-way to the north with single-family residences, multi-family residences, and unimproved parcels to east, west, and south.
11. The project is consistent with the proposed RPD zoning classification. Detached units are permitted in the RPD zone pursuant to Section 22.20.460.B.3.a of the Los Angeles County Code ("County Code"), and the proposed density of 69 dwelling units is consistent with the maximum number of dwelling units that can be accommodated by the RPD-5,000-10U zoning. The applicant has requested a CUP to allow a planned residential development in compliance with RPD provisions. As part of the RPD provisions, the applicant is requesting modification of the development standards related to building separation, rear-yard setback, and wall height in the front-yard setback.
12. The property is depicted in the RD 2.3 (Single-Family Residence-Eight Units or Fewer Per Acre) category on the Land Use Policy Map of the West Athens-Westmont Neighborhood Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). This category of the Plan identifies areas particularly suitable for single-family detached housing units and is intended to maintain the character of the existing low-density residential neighborhoods with densities up to eight units per net acre. The related Plan Amendment proposes an amendment to the Plan's Land Use Policy Map to change the subject property to RD 3.1 (Two-Family Residence-with a Maximum Density of 17 Units or Fewer Per Acre). Under the proposed land use category, the property has a maximum density of 115 dwelling units. The project proposes 69 dwelling units, which is consistent with the maximum.
13. The Zone Change is a related request to authorize change in zone for the subject property from R-1 (Single-Family Residential-5,000 Square Feet Minimum Required Lot Area) to RPD-5000-10U (Residential Planned Development-5,000 Square Feet Minimum Required Lot Area-10 Dwelling Units per Net Acre). The RPD designation will allow the applicant with a CUP to propose 69 dwelling units. It is the intent of the planned residential development designation to promote residential amenities beyond those expected under conventional development to achieve greater flexibility in design, to encourage well-planned neighborhoods through creative and imaginative planning as a unit, and to provide for appropriate use of land which is sufficiently unique in its physical characteristics or other circumstances to warrant special methods of development. No other development will be permitted on the property unless a new conditional use permit is first obtained.

14. The CUP is a related request to ensure a planned residential development in compliance with RPD provisions. As part of the RPD provisions, the applicant is requesting modification of the following development standards:
 - a. Modification of building separation requirements from 10 feet to seven feet as depicted on the approved Exhibit "A";
 - b. Modification to the rear-yard setback for Unit 21 from 15 feet to five feet as depicted on the approved Exhibit "A"; and
 - c. Modification of the maximum permitted wall height of three-and-one-half feet in the front yard setback to allow a six-foot-high masonry wall, as depicted on the approved Exhibit "A."
15. Approval of the Vesting Map and CUP will not become effective until the Board has approved the proposed Plan Amendment and adopted the Zone Change ordinance and such ordinance has become effective.
16. The applicant's site plan, labeled as Exhibit "A," depicts a gated residential development of one multi-family lot with 69 detached condominium units on approximately 4.5 acres and a private park lot on 2.3 acres for a total of 6.87 net acres. The residential units are arranged along six main internal 28-foot-wide private driveways, which, along with a fire lane, provide internal access. The main gated point of entry and exit for residents is 120th Street. To ensure adequate access for the Fire Department, the applicant is proposing a 64-foot-wide turning radius at the entry and exit gates. Pursuant to the County Code, two parking spaces are required for each of the 69 units, totaling 138 spaces, and one guest parking space is required for every four dwelling units totaling 18 guest spaces, resulting in a minimum of 156 parking spaces required for the project. The project exceeds the minimum, providing 175 parking spaces. The proposed parking includes 37 spaces, 10 will be located on the north side of the driveway fronting 120th Street, 18 will be located to the rear of the project site on the south side of the driveway adjacent to Unit Nos. 22, 29, 36, and 43, and the nine compact parking spaces will be located along the easterly boundary line of the project site. Also, 138 parking spaces are provided within the two-car garages provided for the 69 detached condominiums. Individual units range in size from 1,760 to 1,956 square feet and are offered as three-story homes. The units reach a maximum height of 35 feet. As part of the 30 percent open space requirement for the RPD zone, the proposed development includes approximately 2.7 net acres (39 percent of the subject property) of landscape areas and a private park lot. Included in the project's landscaped area are individual private areas, parkway landscaping, and landscaped common areas. Grading consists of 17,301 cubic yards of earthwork to be balanced on site. A maximum six-foot wall is proposed along the perimeter of the property to buffer it from adjacent residential homes.

17. The project is consistent with the proposed RPD zoning classification. Detached units are permitted in the RPD zone pursuant to Section 22.20.460.B.3.a of the County Code. The proposed density of 69 dwelling units is consistent with the maximum dwelling units that can be accommodated by the RPD-5,000-10U zoning.
18. The proposed project is located at an abandoned oil field site and a closed landfill. The property is being remediated under the jurisdiction of the California Regional Water Quality Control Board ("RWQCB") - Los Angeles Region, California Department of Toxic Substances and Control, and the Los Angeles County Department of Public Health ("Public Health"). An underground storage tank on the property will be removed subject to oversight by the Department of Public Works ("Public Works"). The remediation costs are estimated to exceed \$2.4 million. If any further contamination is found during construction, the permittee shall be required to stop construction and address the problem to the satisfaction of Public Health and RWQCB.
19. During the Commission hearing process, eight letters were received regarding the proposed development, including one letter requesting additional conditions, and five in support of the project. Staff from the Department of Regional Planning ("Regional Planning") received one telephone call from an adjoining property owner regarding the proposed density of the project. The caller stated he would prefer a development consisting of single-family lots on the subject property.
20. During the Commission's December 19, 2007 public hearing session, the Commission heard a presentation from staff as well as testimony from the applicant and the public regarding the proposed development. At that public hearing session, Regional Planning staff advised the Commission that the applicant was requesting a continuance of the public hearing to allow the applicant to meet with the community, who opposed the proposed R-2-DP zone change. The applicant also directly requested the Commission to grant a continuance.
21. During the December 19, 2007 public hearing session, a community member in opposition testified that the community had concerns that the initially proposed Zone Change to R-2-DP could create a precedent that would allow multi-family development in their neighborhood, which consists primarily of single-family residences. This testifier further stated that he was in favor of the proposed development, but raised concerns that the proposed Zone Change was "spot zoning" which could allow multi-family units and destroy the character of the single-family residential community. At this hearing, the Commission asked the applicant and the community to meet and discuss alternative zone changes that the community would support and also asked the applicant to work with staff on revising the Zone Change request and Vesting Map. After tallying all testimony, the Commission then continued the public hearing to March 19, 2008.

22. On January 24, 2008 and February 2, 2008, the applicant's representatives met with the community member who had testified in opposition and others who opposed the project. Discussion at these meetings centered on the project's proposed Zone Change to R-2-DP. At the February 2, 2008 meeting, the applicant and community members agreed to the proposed RPD zoning.
23. A revised tentative map was submitted on February 12, 2008, and was cleared by the Subdivision Committee on April 7, 2008.
24. During the March 19, 2008 continued public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public regarding the proposed development.
25. Staff advised that it received additional correspondence from more property owners. The correspondence included a letter from a homeowner who resides in the College Park Estates development, which adjoins the proposed development on the west, and indicated opposition to the project. The main concerns stated in the letter were the decreasing of yard space (front and back) and overcrowding of families in a small space. The other correspondence received was from a property owner who, among other things, supported the proposed development. In this letter, the property owner stated that the County should support this type of development which will encourage investment of capital in this area and provide much needed housing for future generations.
26. During the March 19, 2008 public hearing session, staff also advised the Commission that the applicant revised its Zone Change request from R-2-DP to RPD-5000-10U. The proposed RPD zone will allow the applicant to maintain the 69 dwelling units proposed while requiring the project to include open space covering at least 30 percent of the property.
27. In its presentation on March 19, 2008, the applicant's representative stated he had met with members of the community who opposed the R-2-DP Zone Change. The representative also stated that he was satisfied and concurred with the community request for the Zone Change to avoid setting a precedent for future duplex or apartment development. The proposed project would not be considered "spot zoning" because its design is similar to the existing single-family detached housing units and is intended to maintain the character of existing low-density residential neighborhoods. While the proposed RPD zoning would allow for higher densities than those currently allowed, it would be consistent with policies and goals of the Plan, such as orderly development in under-utilized urban areas where services and infrastructure exist and encouragement of infill of vacant parcels in residential areas.
28. One person testified on March 19, 2008, in support to the project commenting that he opposed the original zone change request for an R-2-DP zone, but

approved of the RPD Zone Change request which he felt best enhanced the community and would remove a vacant parcel of land from the neighborhood. Two others testified on March 19, 2008, in support of the project stating that the new development would eliminate a blighted and abandoned parcel of land from the community. They also stated that the proposed project should be family oriented to maintain the character of the community.

29. During the March 19, 2008 public hearing session, the Commission expressed dissatisfaction with the proposed six-foot-high wall adjoining 120th Street because it did not want the existing neighborhood to be blocked out. The Commission stated its desire for the proposed six-foot-high block wall to resemble elements of the homes. The Commission also inquired if patio trees could be planted in the proposed earthen berm to be constructed adjoining the six-foot-high wall along 120th Street. The applicant's representative stated he would work with the architect to offset the block wall or add wrought iron to the design of the wall.
30. The Commission then continued the public hearing to May 7, 2008, to allow time for the applicant to revise the design of the proposed six-foot-high block wall, revise the landscaping plan to add patio trees to the proposed earthen berm adjoining the wall, and directed staff to prepare draft resolutions for the proposed Plan Amendment and Zone Change and prepare draft findings and conditions for approval.
31. During the May 7, 2008 continued public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public regarding the proposed development. Staff from Regional Planning advised that the applicant had submitted revised architectural renderings that incorporated the Commission's comments from the March 19, 2008 public hearing. This included block wall pop-out details and additional landscaping within the earthen berm adjoining the six-foot-high front-yard wall.
32. In his presentation on May 7, 2008, the applicant's representative stated he was confident that the revised landscaping and block wall designs were consistent with the Commission's requested revisions.
33. One person testified on May 7, 2008, in support of the project stating that the new development would benefit the community. He also stated that the applicant had cooperated with the community in developing a project that would meet the future housing needs of the community.
34. During the May 7, 2008 public hearing session, the Commission stated that the applicant had done an excellent job of depicting a "stepping" effect on the landscaping. The Commission also requested that landscaped trees be spaced more naturally with the earthen berm. The Commission also inquired if the

proposed turf, landscaping, and trees would be drought-resistant or water-intensive plant materials. The Commission also inquired if the proposed six-foot-high front-yard block wall would maintain its height at grade or increase in height.

35. On May 7, 2008, after taking all testimony, the Commission closed the public hearing, adopted the Negative Declaration, and recommended approval of Exhibit "A" with modifications such as redesigned block wall details and additional landscaping as discussed.
36. The Board conducted its duly-noticed public hearing on September 9, 2008. The Board received a staff presentation describing the project and summarizing the Commission's actions. There was no public testimony offered in opposition to the project during the Board's hearing.
37. As a condition of approval of this grant, the permittee shall be required to comply with the applicable development standards of the RPD zone pursuant to Sections 22.20.460. A through 22.20.460.B.13.C of the County Code, except as otherwise modified by CUP Case No. 2006-00158-(2).
38. The subject property is of adequate size and shape to accommodate the yards, walls, fences, parking, landscaping, and other accessory structures as shown on the site plan and Vesting Map No. 067377, except as otherwise modified by CUP Case No. 2006-00158-(2).
39. Compatibility with surrounding land uses will be ensured through the related Plan Amendment, Zone Change, CUP, and environmental conditions.
40. There is no evidence that the proposed project will be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the project site.
41. The site is physically suitable for the type of development and density being proposed since the property has adequate building sites to be developed in accordance with the County grading ordinance; has access to a County-maintained street; will be served by public sewers; will be provided with water supplies and distribution facilities to meet anticipated domestic and fire protection needs; and will have flood hazards and geologic hazards mitigated in accordance with the requirements of Public Works.
42. The design of the subdivision and the type of improvements will not cause serious public health problems because sewage disposal, storm drainage, fire protection, and geologic and soils factors are addressed in the conditions of approval.

43. The design of the subdivision and the proposed improvements will not cause substantial environmental damage or substantial and avoidable injury to fish or wildlife or their habitat. The subject property is not located in a Significant Ecological Area and does not contain any stream courses or high value riparian habitat.
44. The design of the subdivision provides for future passive or natural heating or cooling opportunities therein.
45. The division and development of the property in the manner set forth on this map will not unreasonably interfere with the free and complete exercise of public entity and/or public utility rights-of-way and/or easements within this map because the design and development as set forth in the conditions of approval and on the tentative tract map provide adequate protection for any such easements.
46. Pursuant to Article 3.5 of the Subdivision Map Act, the proposed subdivision does not contain or front upon any public waterway, river, stream, coastline, shoreline, lake, or reservoir.
47. The discharge of sewage from this land division into the public sewer system will not violate the requirements of the RQWCB pursuant to Division 7 (commencing with section 13000) of the California Water Code.
48. The housing and employment needs of the region were considered and balanced against the public service needs of local residents and available fiscal and environmental resources when the project was determined to be consistent with the General Plan.
49. This tract map has been submitted as a "vesting" tentative map. As such, it is subject to the provisions of Sections 21.38.010 through 21.38.080 of the County Code.
50. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, a Negative Declaration has been prepared for this project. The Board adopted the Negative Declaration at the conclusion of its public hearing on the project.
51. This project has not been found to have "no effect" on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.

52. Approval of this subdivision is conditioned on the subdivider's compliance with the attached conditions of approval as well as the conditions of approval for CUP Case No. 2006-000158-(2).

THEREFORE, THE BOARD OF SUPERVISORS:

1. Certifies that the Negative Declaration prepared for the project was completed in compliance with CEQA and the State and County guidelines related thereto and reflects the independent judgment of the Board;
2. Certifies that it reviewed and considered the information contained in the Negative Declaration and adopted it at the conclusion of its September 9, 2008 hearing on the project; and
3. Approves Vesting Map No. 067377 subject to the attached conditions.

CONDITIONS OF APPROVAL
VESTING TENTATIVE TRACT MAP NUMBER 067377

1. The subdivider shall conform to the requirements of Title 21 of the Los Angeles County Code ("County Code") (Subdivision Ordinance). The subdivider shall also conform to the requirements of Conditional Use Permit Case No. 2006-00158-(2) ("CUP") and the West Athens - Westmont Community Standards District.
2. Except as otherwise specified in Condition No. 3 and by the CUP, the subdivider shall conform to the applicable requirements of the Residential Planned Development ("RPD") zone.
3. In accordance with the CUP, this land division is approved within an RPD zone as a condominium development of 69 detached units with 2.7 net acres (39 percent of the subject property) of landscape areas and a private park.
4. Recordation of the final map is contingent upon approval of Local Plan Amendment Case No. 2006-00006-(2) by the Los Angeles County Board of Supervisors ("Board") and the effectuation of an ordinance changing the zoning of the subject property from R-1 (Single-Family Residential-5,000 Square Feet Minimum Required Lot Area) to RPD-5000-10U (RPD-5,000 Square Feet Minimum Lot Area-10 Units per Net Acre).
5. The subdivider shall provide at least 50 feet of street frontage on the property line for the lot.
6. The subdivider shall submit a copy of the project Covenants, Conditions, and Restrictions ("CC&Rs") to the Los Angeles County Department of Regional Planning ("Regional Planning") for review and approval.
7. Within 15 days of approval, the subdivider shall submit evidence that the conditions of the associated CUP have been recorded.
8. The subdivider shall place a note or notes on the final map to the satisfaction of Regional Planning that this subdivision is approved as a condominium project for a total of 69 residential units whereby the owners of the units of air space will hold an undivided interest in the common areas, which will, in turn, provide the necessary access and utility easements for the units.
9. The subdivider shall provide in the CC&Rs a method for the continuous maintenance of the common areas, including the driveway and the lighting system along all walkways, to the satisfaction of Regional Planning.
10. The subdivider shall reserve in the CC&Rs the right for all residents within the condominium project to use the driveways for access and the guest parking spaces throughout the subdivision.

11. Three copies of a landscape plan which may be incorporated into a revised site plan shall be submitted to and approved by the Director of Regional Planning ("Director") as required by the CUP prior to issuance of a grading permit and/or building permit. The subdivider shall provide a site plan within 60 days of the tentative map approval date, describing details of the proposed six-foot-high front yard wall with 24-inch box trees within landscaped earthen berm which should be consistent with the existing exhibit submitted to the Los Angeles County Regional Planning Commission at its May 7, 2008 public hearing session.
12. The subdivider shall plant at least one tree of a non-invasive species within the front yard of the multi-family lot and a minimum 14 additional trees within the project site. The location and the species of said trees shall be incorporated into a site plan or landscape plan. Prior to final map approval, the site/landscaping plan shall be approved by the Director and a bond shall be posted with the Department of Public Works or other verification shall be submitted to the satisfaction of Regional Planning to ensure the planting of the required trees.
13. Pursuant to Chapter 22.72 of the County Code, the subdivider or his successor in interest shall pay a fee to the Los Angeles County Librarian prior to issuance of any building permit as this project's contribution to mitigating impacts on the library system in the Southeast Planning Area, in the amount required by Chapter 22.72 at the time of payment and provide proof of payment to Regional Planning. The current fee amount is \$738 per dwelling unit (\$738 X 69 dwelling units = \$50,922). The fee is subject to adjustment as provided for in applicable local and state law. The subdivider may contact the County Librarian at (562) 940-8450 regarding payment of fees.
14. Within five days of the tentative map approval date, the subdivider shall remit a \$1,926.75 processing fee payable to the County of Los Angeles ("County") in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the California Public Resources Code and section 711.4 of the California Fish and Game Code. No project subject to this requirement is final, vested, or operative until the fee is paid.
15. The subdivider shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, and employees to attack, set aside, void, or annul this tract map approval or related discretionary approvals, whether legislative or quasi-judicial, which action is brought within the applicable time period of section 65499.37 of Government Code or any other applicable limitation period. The County shall promptly notify the subdivider of any claim, action, or proceeding and the County shall cooperate fully in the defense. If the County fails to promptly notify the subdivider of any claim, action, or proceeding, or the County fails to cooperate fully in the defense, the subdivider shall not thereafter be responsible to defend, indemnify, or hold harmless the County.

16. In the event that any claim, action, or proceeding as described above is filed against the County, the subdivider shall within 10 days of the filing pay Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and deducted for the purpose of defraying the expense involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the subdivider or subdivider's counsel. The subdivider shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted.

- a. If during the litigation process actual costs incurred reach 80 percent of the amount on deposit, the subdivider shall deposit additional funds to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
- b. At the sole discretion of the subdivider, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by subdivider according to Section 2.170.010 of the County Code.

Except as modified herein, this approval is subject to all of the conditions set forth in the CUP and the attached reports recommended by the Los Angeles County Subdivision Committee, which Subdivision Committee consists of members of the Departments of Public Works, Fire, Parks and Recreation, and Public Health.

Attachments:
Subdivision Committee Reports

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
TRACT NO. 67377 (Rev.)

TENTATIVE MAP DATED 02-13-2008
EXHIBIT MAP DATED 02-13-2008

The following reports consisting of 13 pages are the recommendations of Public Works.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Details and notes shown on the tentative map are not necessarily approved. Any details or notes which may be inconsistent with requirements of ordinances, general conditions of approval, or Department policies must be specifically approved in other conditions, or ordinance requirements are modified to those shown on the tentative map upon approval by the Advisory agency.
2. Easements are tentatively required, subject to review by the Director of Public Works to determine the final locations and requirements.
3. Easements shall not be granted or recorded within areas proposed to be granted, dedicated, or offered for dedication for public streets, highways, access rights, building restriction rights, or other easements until after the final map is filed with the Registrar-Recorder/County Clerk's Office. If easements are granted after the date of tentative approval, a subordination must be executed by the easement holder prior to the filing of the final map.
4. In lieu of establishing the final specific locations of structures on each lot/parcel at this time, the owner, at the time of issuance of a grading or building permit, agrees to develop the property in conformance with the County Code and other appropriate ordinances such as the Building Code, Plumbing Code, Grading Ordinance, Highway Permit Ordinance, Mechanical Code, Zoning Ordinance, Undergrounding of Utilities Ordinance, Water Ordinance, Sanitary Sewer and Industrial Waste Ordinance, Electrical Code, and Fire Code. Improvements and other requirements may be imposed pursuant to such codes and ordinances.
5. All easements existing at the time of final map approval must be accounted for on the approved tentative map. This includes the location, owner, purpose, and recording reference for all existing easements. If an easement is blanket or indeterminate in nature, a statement to that effect must be shown on the tentative map in lieu of its location. If all easements have not been accounted for, submit a corrected tentative map to the Department of Regional Planning for approval.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – SUBDIVISION
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TENTATIVE MAP DATED 02-13-2008

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6. Adjust, relocate, and/or eliminate lot lines, lots, streets, easements, grading, geotechnical protective devices, and/or physical improvements to comply with ordinances, policies, and standards in effect at the date the County determined the application to be complete all to the satisfaction of Public Works.
7. Prior to final approval of the tract map submit a notarized affidavit to the Director of Public Works, signed by all owners of record at the time of filing of the map with the Registrar-Recorder/County Clerk's Office, stating that any proposed condominium building has not been constructed or that all buildings have not been occupied or rented and that said building will not be occupied or rented until after the filing of the map with the Registrar-Recorder/County Clerk's Office.
8. Place standard condominium notes on the final map to the satisfaction of Public Works.
9. Label driveways and multiple access strips as "Private Driveway and Fire Lane" and delineate on the final map to the satisfaction of Public Works.
10. Reserve reciprocal easements for drainage, ingress/egress, sewer, water, utilities, and maintenance purposes, etc., in documents over the private driveways to the satisfaction of Public Works.
11. Quitclaim or relocate easements running through proposed structures.
12. Remove existing structures prior to final map approval. Demolition permits are required from the Building and Safety office.
13. A final tract map must be processed through the Director of Public Works prior to being filed with the Registrar-Recorder/County Clerk's Office.
14. Prior to submitting the tract map to the Director of Public Works for examination pursuant to Section 66442 of the Government Code, obtain clearances from all affected Departments and Divisions, including a clearance from the Subdivision Mapping Section of the Land Development Division of Public Works for the following mapping items; mathematical accuracy; survey analysis; and correctness of certificates, signatures, etc.
15. A final guarantee will be required at the time of filing of the final map with the Registrar-Recorder/County Clerk's Office.

COUNTY OF LOS ANGELES
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16. Within 30 days of the approval date of this land use entitlement or at the time of first plan check submittal, the applicant shall deposit the sum of \$2,000 (Minor Land Divisions) or \$5,000 (Major Land Divisions) with Public Works to defray the cost of verifying conditions of approval for the purpose of issuing final map clearances. This deposit will cover the actual cost of reviewing conditions of approval for Conditional Use Permits, Tentative Tract and Parcel Maps, Vesting Tentative Tract and Parcel Maps, Oak Tree Permits, Specific Plans, General Plan Amendments, Zone Changes, CEQA Mitigation Monitoring Programs and Regulatory Permits from State and Federal Agencies (Fish and Game, USF&W, Army Corps, RWQCB, etc.) as they relate to the various plan check activities and improvement plan designs. In addition, this deposit will be used to conduct site field reviews and attend meetings requested by the applicant and/or his agents for the purpose of resolving technical issues on condition compliance as they relate to improvement plan design, engineering studies, highway alignment studies and tract/parcel map boundary, title and easement issues. When 80% of the deposit is expended, the applicant will be required to provide additional funds to restore the initial deposit. Remaining balances in the deposit account will be refunded upon final map recordation

Prepared by Conrad M. Green
tr67377L-rev6.doc

Phone (626) 458-4917

Date 04-10-2008

County of Los Angeles Department of Public Works
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION
GEOLOGIC REVIEW SHEET
900 So. Fremont Ave., Alhambra, CA 91803
TEL. (626) 458-4925

DISTRIBUTION
____ Geologist
____ Soils Engineer
1 GMED File
1 Subdivision

TENTATIVE TRACT 67377
SUBDIVIDER White Flower Nursery/South Coast Comm.
ENGINEER Gilbert Engineering
GEOLOGIST Pacific Soils Engineering, Inc
SOILS ENGINEER Pacific Soils Engineering, Inc

TENTATIVE MAP DATED 02-13-08, 6th Revision and Exhibit
LOCATION Athens
GRADING BY SUBDIVIDER [Y] (Y or N)
REPORT DATE 03-19-07, 09-12-06, 04-10-06, 08-05-06
REPORT DATE _____

TENTATIVE MAP FEASIBILITY IS RECOMMENDED FOR APPROVAL FROM A GEOLOGIC STANDPOINT

THE FOLLOWING CONDITIONS MUST BE FULFILLED:

1. The final map must be approved by the Geotechnical and Materials Engineering Division (GMED) to assure that all geotechnical requirements have been properly depicted. For Final Map clearance guidelines refer to GS051.0 in the Manual for Preparation of Geotechnical Reports (<http://www.dpw.lacounty.gov/gmed/manual.pdf>).
2. A grading plan must be geotechnically approved by the GMED prior to Final Map approval. The grading depicted on the plan must agree with the grading depicted on the tentative tract or parcel map and the conditions approved by the Planning Commission. If the subdivision is to be recorded prior to the completion and acceptance of grading, corrective geologic bonds may be required.
3. Prior to grading plan approval a detailed engineering geology and soils engineering report must be submitted that addresses the proposed grading. All recommendations of the geotechnical consultants must be incorporated into the plan (Refer to the Manual for Preparation of Geotechnical Reports at <http://www.dpw.lacounty.gov/gmed/manual.pdf>).
4. All geologic hazards associated with this proposed development must be eliminated. Alternatively, the geologic hazards may be designated as restricted use areas (RUA), and their boundaries delineated on the Final Map. These RUAs must be approved by the GMED, and the subdivider must dedicate to the County the right to prohibit the erection of buildings or other structures within the restricted use areas (refer to GS063.0 in the manual for preparation of Geotechnical Reports*).
5. The Soils Engineering review dated 3-27-08 is attached.

Prepared by


Robert O. Thomas

Reviewed by



Date

03-25-08

Please complete a Customer Service Survey at <http://dpw.lacounty.gov/go/gmedsurvey>

P:\Gmepub\Geology Review\Forms\Form02.doc
8/30/07

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
GEOTECHNICAL AND MATERIALS ENGINEERING DIVISION**

SOILS ENGINEERING REVIEW SHEET

Address: 900 S. Fremont Ave., Alhambra, CA 91803
Telephone: (626) 458-4925
Fax: (626) 458-4913

District Office 1.0
Job Number LX001129
Sheet 1 of 1

Tentative Tract Map 67377

Location 120th Street, Athens
Developer/Owner White Flower Nursery/South Coast Comm.
Engineer/Architect Gilbert
Soils Engineer Pacific Soils Engineering, Inc.
Geologist Same as Above

DISTRIBUTION:

☐ Drainage
☐ Grading
☐ Geo/Soils Central File
☐ District Engineer
☐ Geologist
☐ Soils Engineer
☐ Engineer/Architect

Review of:

Revised Tentative Tract Map and Exhibit Dated By Regional Planning 2/13/08
Soil Engineering and Geologic Report Dated 3/19/07, 9/12/06, 4/10/06
Previous Review Sheet Dated 1/3/08

ACTION:

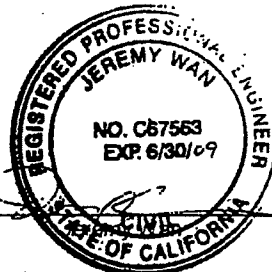
Tentative Tract Map is recommended for approval, subject to conditions below:

REMARKS:

At the grading plan stage, submit two sets of grading plans to the Soil Section for verification of compliance with County codes and policies.

NOTE(S) TO THE PLAN CHECKER/BUILDING AND SAFETY ENGINEER:

- A. ON-SITE SOILS HAVE A MEDIUM EXPANSION POTENTIAL AND ARE CORROSIVE TO FERROUS METALS.
- B. THE SOILS REPORT DATED 4/10/06 INDICATES THERE MAY BE ENVIRONMENTAL CONCERNS REGARDING THE PRESENCE OF AN RECENTLY ABANDONED OIL WELL AND ASSOCIATED PIPE LINES.



Prepared by

Lukas Przybylo
Lukas Przybylo

Reviewed by

Date 3/27/08

Please complete a Customer Service Survey at <http://dpw.lacounty.gov/go/gmedsurvey>.

NOTICE: Public safety, relative to geotechnical subsurface exploration, shall be provided in accordance with current codes for excavations, inclusive of the Los Angeles County Code, Chapter 11.48, and the State of California, Title 8, Construction Safety Orders.

P:\gmpub\Soils Review\Lukas\Site\TM-67377, 120th Street, Athens, A_6.

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

REQUIREMENTS PRIOR TO GRADING PLAN APPROVAL:

1. Prior to approval of any grading plan, notarized covenants, in a form approved by Public Works, shall be obtained from all impacted offsite property owners, as determined by Public Works, and shall be recorded by the applicant. The number of offsite covenants will be determined by Public Works based on proposed off-site grading work which must be prepared by the applicant's consultants and submitted to Public Works for review and approval, in a format acceptable to Public Works. By acceptance of this condition, the applicant acknowledges and agrees that this condition does not require or otherwise involve the construction or installation of an offsite improvement, and that the offsite covenants referenced above do not constitute an offsite easement, license, title or interest in favor of the County. Therefore, the applicant acknowledges and agrees that the provisions of Government Code Section 66462.5 do not apply to this condition and that the County shall have no duty or obligation to acquire by negotiation or by eminent domain any land or any interest in any land in connection with this condition.
2. Show disposition of all the easements (i.e. quit claimed, relocate, or easement holder permission will be obtained).
3. Provide landscaping plans per grading ordinance (Section J110.3 of Appendix J of the Los Angeles County Building Code).
4. Submit the following agency approvals:
 - a. Provide soil/geology approval of the grading plan by the Geotechnical & Materials Engineering Division (GMED).
 - b. Provide a copy of approved hydrology plans.

REQUIREMENTS PRIOR TO FINAL MAP RECORDATION:

5. Submit a grading plan for approval. The grading plans must show and call out the construction of at least all drainage devices and details, paved driveways, elevation and drainage of all pads, and the SUSMP devices if applicable. The applicant is required to show and call out all existing easements on the grading plan and obtain the easement holder approvals.
6. A maintenance agreement may be required for privately maintained drainage

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – GRADING
TRACT MAP NO 67377

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TENTATIVE MAP DATED 02-13-2008
EXHIBIT MAP DATED 02-13-2008

devices.

7. Provide a draft copy of the CC&Rs

WME
WME Name David Esfandi Date March 20, 2008 Phone (626) 458-4921

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. Dedicate the right to restrict vehicular access along the property frontage on 120th Street.
2. Repair any displaced, broken, or damaged curb, gutter, driveway apron, and pavement along the property on 120th Street to the satisfaction of Public Works.
3. Close any unused driveway with standard curb, gutter, and sidewalk along the property on 120th Street.
4. Construct full-width sidewalk along the property frontage on 120th Street.
5. Construct parkway improvements (sidewalk, driveway, landings, etc.) that either serve or form a part of a Pedestrian Access Route to meet current Americans with Disabilities Act (ADA) requirements along the property frontage on 120th Street to the satisfaction of Public Works.
6. Comply with the following street lighting requirements:
 - a. Provide street lights on concrete poles with underground wiring along the property frontage on 120th Street to the satisfaction of Public Works. Submit street lighting plans as soon as possible for review and approval to the Street Lighting Section of the Traffic and Lighting Division. For additional information, please contact the Street Lighting Section at (626) 300-4726.
 - b. The proposed development or portions thereof, are not within an existing Lighting District. Annexation and assessment balloting are required. Upon tentative map approval, the applicant shall comply with conditions listed below in order for the Lighting District to pay for the future operation and maintenance of the street lights. The Board of Supervisors must approve the annexation and levy of assessment (should assessment balloting favor levy of assessment) prior to filing of the final subdivision maps for each area with the Registrar-Recorder/County Clerk.
 - (1) Request the Street Lighting Section to commence annexation and levy of assessment proceedings.

TENTATIVE MAP DATED 02-13-2008
EXHIBIT MAP DATED 02-13-2008


- (2) Provide business/property owner's name(s), mailing address(es), site address, Assessor Parcel Number(s), and Parcel Boundaries in either Microstation or Auto CADD format of territory to be developed to the Street Lighting Section.
 - (3) Submit a map of the proposed development including any roadways conditioned for street lights that are outside the proposed project area to Street Lighting Section. Contact the Street Lighting Section for map requirements and with any questions at (626) 300-4726.
 - c. The annexation and assessment balloting process takes approximately ten to twelve months to complete once the above information is received and approved. Therefore, untimely compliance with the above will result in a delay in receiving approval of the street lighting plans or in filing the final subdivision map for recordation. Information on the annexation and the assessment balloting process can be obtained by contacting Street Lighting Section at (626) 300-4726.
 - d. For acceptance of street light transfer billing, the area must be annexed into the Lighting District and all street lights in the development, or the current phase of the development, must be constructed according to Public Works approved plans. The contractor shall submit one complete set of "as-built" plans. Provided the above conditions are met, all street lights in the development, or the current phase of the development, have been energized, and the developer has requested a transfer of billing at least by January 1 of the previous year, the Lighting District can assume responsibility for the operation and maintenance of the street lights by July 1 of any given year.
- 7. Plant street trees along the property frontage on 120th Street to the satisfaction of Public Works. Existing trees on 120th Street in the dedicated right of way shall be removed and replaced if not acceptable as street trees.
 - 8. If applicable, remove the existing chain link /block wall fence and metal gate(s) from the existing dedicated right of way along the property frontage on 120th Street to the satisfaction of Public Works.

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION – ROAD
TRACT NO. 67377 (Rev.)

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TENTATIVE MAP DATED 02-13-2008
EXHIBIT MAP DATED 02-13-2008

9. Underground all new utility lines to the satisfaction of Public Works and Southern California Edison. Please contact Construction Division at (626) 458-3129 for new location of any above ground utility structure in the parkway.
10. Prior to final map approval, enter into an agreement with the County franchised cable TV operator (if an area is served) to permit the installation of cable in a common utility trench to the satisfaction of Public Works; or provide documentation that steps to provide cable TV to the proposed subdivision have been initiated to the satisfaction of Public Works.
11. Locate the entry gate (or the key pad if one is provided) a minimum of 50 feet beyond the right of way of 120th Street and construct the gated entrance with a minimum 32-foot radius turnaround preceding the gated entrance to the satisfaction of Public Works. The minimum gate setback shall be increased, if necessary, to accommodate adequate stacking distance as determined in each case by the traffic engineering consultant at final engineering to the satisfaction of Public Works.
12. Set back the raised median nose in the entry driveway a minimum 20 feet beyond the right of way of 120th Street to the satisfaction of Public Works.


Prepared by Joseph Nguyen
tr67377r-rev6.doc

Phone (626) 458-4921

Date 04-07-2008

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - SEWER
TRACT NO. 67377 (Rev.)

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TENTATIVE MAP DATED 02-13-2008
EXHIBIT MAP DATED 02-13-2008

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. The subdivider shall install and dedicate main line sewers and serve each building with a separate house lateral or have approved and bonded sewer plans on file with Public Works.
2. A sewer area study for the proposed subdivision (PC 11997AS, dated 05-24-2007) was reviewed and approved. No additional mitigation measures are required. The approved sewer area study shall remain valid for two years after initial approval of the tentative map. After this period of time, an update of the area study shall be submitted by the applicant if determined to be warranted by Public Works.
3. Provide a digital copy (PDF Format) of the approved area study PC 11997AS.
4. The subdivider shall send a print of the land division map to the County Sanitation District with a request for annexation. The request for annexation must be approved prior to final map approval.
5. Easements are required, subject to review by Public Works to determine the final locations and requirements.

JMS
Prepared by Allen Ma
tr67377s-rev6(rev'd 04-09-08).doc

Phone (626) 458-4921

Date Rev. 04-09-2008



COUNTY OF LOS ANGELES

DEPARTMENT OF PUBLIC WORKS

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
WWW.DPW.LACOUNTY.GOV

TRACT MAP NO. 067377

REVISED TENTATIVE MAP DATED 02/13/08
EXHIBIT MAP 02/13/08

DRAINAGE CONDITIONS OF APPROVAL, PHONE: (626) 458-4921

Prior to Improvement Plan Approval:

- Comply with the requirements of the drainage concept / hydrology study / Standard Urban Stormwater Mitigation Plan (SUSMP) plan which was conceptually approved on 06/20/07 to the satisfaction of Public Works.

Name Lizbeth Cordova Date 03/24/08 Phone (626) 458-4921
LIZBETH CORDOVA

COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS
LAND DEVELOPMENT DIVISION - WATER
TRACT NO. 67377 (Rev.)

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TENTATIVE MAP DATED 02-13-2008
EXHIBIT MAP DATED 02-13-2008

The subdivision shall conform to the design standards and policies of Public Works, in particular, but not limited to the following items:

1. A water system maintained by the water purveyor, with appurtenant facilities to serve all buildings in the land division, must be provided. The system shall include fire hydrants of the type and location (both on-site and off-site) as determined by the Fire Department. The water mains shall be sized to accommodate the total domestic and fire flows.
2. There shall be filed with Public Works a statement from the water purveyor indicating that the water system will be operated by the purveyor, and that under normal conditions, the system will meet the requirements for the land division, and that water service will be provided to each building.
3. Easements shall be granted to the County, appropriate agency or entity for the purpose of ingress, egress, construction, and maintenance of all infrastructures constructed for this land division to the satisfaction of Public Works.
4. Submit landscape and irrigation plans for each multi-family/open space lot in the land division, with landscape area greater than 2,500 square feet, in accordance with the Water Efficient Landscape Ordinance.

Prepared by  Lana Radle
tr67377w-rev6.doc

Phone (626) 458-4921

Date 03-31-2008



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

CONDITIONS OF APPROVAL FOR SUBDIVISION - UNINCORPORATED

Subdivision: TR 067377 Map Date February 13, 2008 - Exhibit A

C.U.P. _____ Vicinity Map 0585C

- ☐ **FIRE DEPARTMENT HOLD** on the tentative map shall remain until verification from the Los Angeles County Fire Dept. Planning Section is received, stating adequacy of service. Contact (323) 881-2404.
- ☒ Access shall comply with Title 21 (County of Los Angeles Subdivision Code) and Section 902 of the Fire Code, which requires all weather access. All weather access may require paving.
- ☒ Fire Department access shall be extended to within 150 feet distance of any exterior portion of all structures.
- ☐ Where driveways extend further than 150 feet and are of single access design, turnarounds suitable for fire protection equipment use shall be provided and shown on the final map. Turnarounds shall be designed, constructed and maintained to insure their integrity for Fire Department use. Where topography dictates, turnarounds shall be provided for driveways that extend over 150 feet in length.
- ☒ The private driveways shall be indicated on the final map as "Private Driveway and Firelane" with the widths clearly depicted. Driveways shall be maintained in accordance with the Fire Code.
- ☒ Vehicular access must be provided and maintained serviceable throughout construction to all required fire hydrants. All required fire hydrants shall be installed, tested and accepted prior to construction.
- ☐ This property is located within the area described by the Fire Department as "Very High Fire Hazard Severity Zone" (formerly Fire Zone 4). A "Fuel Modification Plan" shall be submitted and approved prior to final map clearance. (Contact: Fuel Modification Unit, Fire Station #32, 605 North Angeleno Avenue, Azusa, CA 91702-2904, Phone (626) 969-5205 for details).
- ☒ Provide Fire Department or City approved street signs and building access numbers prior to occupancy.
- ☐ Additional fire protection systems shall be installed in lieu of suitable access and/or fire protection water.
- ☐ The final concept map, which has been submitted to this department for review, has fulfilled the conditions of approval recommended by this department for access only.
- ☐ These conditions must be secured by a C.U.P. and/or Covenant and Agreement approved by the County of Los Angeles Fire Department prior to final map clearance.
- ☐ The Fire Department has no additional requirements for this division of land.

Comments: The proposed "permeable paving" must be certified by a civil engineer to withstand a minimum weight of 75,000 lbs. prior to clearance of Final Map. Recertification of installation shall be provided to the County of Los Angeles Fire Department Land Development Unit prior to occupancy.

Inspector: Juan C. Padilla Date April 3, 2008

Land Development Unit – Fire Prevention Division – (323) 890-4243, Fax (323) 890-9783



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

5823 Rickenbacker Road
Commerce, California 90040

WATER SYSTEM REQUIREMENTS - UNINCORPORATED

Subdivision No. TR 067377 Tentative Map Date February 13, 2008 - Exhibit A

Revised Report _____

- ☐ The County Forester and Fire Warden is prohibited from setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted. However, water requirements may be necessary at the time of building permit issuance.
- ☒ The required fire flow for public fire hydrants at this location is 1500 gallons per minute at 20 psi for a duration of 2 hours, over and above maximum daily domestic demand. 2 Hydrant(s) flowing simultaneously may be used to achieve the required fire flow.
- ☒ The required fire flow for private on-site hydrants is 2500 gallons per minute at 20 psi. Each private on-site hydrant must be capable of flowing 1250 gallons per minute at 20 psi with two hydrants flowing simultaneously, one of which must be the furthest from the public water source.
- ☒ Fire hydrant requirements are as follows:
- Install 1 public fire hydrant(s). Verify / Upgrade existing _____ public fire hydrant(s).
- Install 3 private on-site fire hydrant(s).
- ☒ All hydrants shall measure 6"x 4"x 2-1/2" brass or bronze, conforming to current AWWA standard C503 or approved equal. All on-site hydrants shall be installed a minimum of 25' feet from a structure or protected by a two (2) hour rated firewall.
- ☒ Location: As per map on file with the office.
- ☐ Other location: _____
- ☒ All required fire hydrants shall be installed, tested and accepted or bonded for prior to Final Map approval. Vehicular access shall be provided and maintained serviceable throughout construction.
- ☐ The County of Los Angeles Fire Department is not setting requirements for water mains, fire hydrants and fire flows as a condition of approval for this division of land as presently zoned and/or submitted.
- ☐ Water system requirements will be required when this land is further subdivided and/or during the building permit process.
- ☐ Hydrants and fire flows are adequate to meet current Fire Department requirements.
- ☐ Upgrade not necessary, if existing hydrant(s) meet(s) fire flow requirements. Submit original water availability form to our office.

Comments: Existing fire hydrant is adequate. The required fire hydrants shall be installed or bonded prior to Final Map clearance. The Fire Flow requirements for this project must comply with the information indicated on this document.

Hydrants shall be installed in conformance with Title 20, County of Los Angeles Government Code and County of Los Angeles Fire Code, or appropriate city regulations. Plans shall include minimum six-inch diameter mains. Arrangements to meet these requirements must be made with the water purveyor serving the area.

Inspector Juan C. Padilla Date April 3, 2008



LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION



PARK OBLIGATION REPORT

Tentative Map #	67377	DRP Map Date: 02/13/2008	SCM Date: / /	Report Date: 04/03/2008
Park Planning Area #	19	WEST ATHENS / WESTMONT	Map Type: REV. (REV RECD)	

Total Units = Proposed Units + Exempt Units

Sections 21.24.340, 21.24.350, 21.28.120, 21.28.130, and 21.28.140, the County of Los Angeles Code, Title 21, Subdivision Ordinance provide that the County will determine whether the development's park obligation is to be met by:

- 1) the dedication of land for public or private park purpose or,
- 2) the payment of in-lieu fees or,
- 3) the provision of amenities or any combination of the above.

The specific determination of how the park obligation will be satisfied will be based on the conditions of approval by the advisory agency as recommended by the Department of Parks and Recreation.

Park land obligation in acres or in-lieu fees:

ACRES:	0.74
IN-LIEU FEES:	\$219,567

Conditions of the map approval:

The park obligation for this development will be met by:

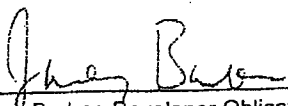
The payment of \$219,567 in-lieu fees.

Trails:

No trails.

Contact Patrocenia T. Sobrepeña, Departmental Facilities Planner I, Department of Parks and Recreation, 510 South Vermont Avenue, Los Angeles, California, 90020 at (213) 351-5120 for further information or an appointment to make an in-lieu fee payment.

For information on Hiking and Equestrian Trail requirements contact Trail Coordinator at (213) 351-5135.

By: 
James Barber, Developer Obligations/Land Acquisitions

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April 03, 2008 13:35:42
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LOS ANGELES COUNTY
DEPARTMENT OF PARKS AND RECREATION



PARK OBLIGATION WORKSHEET

Tentative Map # 67377 DRP Map Date: 02/13/2008 SMC Date: / / Report Date: 04/03/2008
Park Planning Area # 19 WEST ATHENS / WESTMONT Map Type: REV. (REV RECD)

The formula for calculating the acreage obligation and or In-lieu fee is as follows:

$$(P) \text{ people} \times (0.003) \text{ Goal} \times (U) \text{ units} = (X) \text{ acres obligation}$$

$$(X) \text{ acres obligation} \times \text{RLV/Acre} = \text{In-Lieu Base Fee}$$

Where: P = Estimate of number of People per dwelling unit according to the type of dwelling unit as determined by the 2000 U.S. Census*. Assume * people for detached single-family residences; Assume * people for attached single-family (townhouse) residences, two-family residences, and apartment houses containing fewer than five dwelling units; Assume * people for apartment houses containing five or more dwelling units; Assume * people for mobile homes.

Goal = The subdivision ordinance allows for the goal of 3.0 acres of park land for each 1,000 people generated by the development. This goal is calculated as "0.0030" in the formula.

U = Total approved number of Dwelling Units.

X = Local park space obligation expressed in terms of acres.

RLV/Acre = Representative Land Value per Acre by Park Planning Area.

Total Units = Proposed Units + Exempt Units

	People*	Goal 3.0 Acres / 1000 People	Number of Units	Acre Obligation
Detached S.F. Units	3.56	0.0030	69	0.74
M.F. < 5 Units	3.25	0.0030	0	0.00
M.F. >= 5 Units	3.22	0.0030	0	0.00
Mobile Units	3.28	0.0030	0	0.00
Exempt Units			0	
Total Acre Obligation =				0.74

Park Planning Area = 19 WEST ATHENS / WESTMONT

Goal	Acre Obligation	RLV / Acre	In-Lieu Base Fee
@(0.0030)	0.74	\$296,712	\$219,567

Lot #	Provided Space	Provided Acres	Credit (%)	Acre Credit	Land
None					
Total Provided Acre Credit:				0.00	

Acre Obligation	Public Land Crdt.	Priv. Land Crdt.	Net Obligation	RLV / Acre	In-Lieu Fee Due
0.74	0.00	0.00	0.74	\$296,712	\$219,567

**COUNTY OF LOS ANGELES
Public Health**

JONATHAN E. FIELDING, M.D., M.P.H.
Director and Health Officer

JONATHAN FREEDMAN
Acting Chief Deputy

Environmental Health
ANGELO BELLOMO, REHS
Director of Environmental Health

Bureau of Environmental Protection
Land Use Program
5050 Commerce Drive, Baldwin Park, CA 91706-1423
TEL (626)430-5380 · FAX (626)913-3016
www.lapublichealth.org/eh/progs/envirp.htm

**BOARD OF SUPERVISORS**

Gloria Molina
First District

Yvonne B. Burke
Second District

Zev Yaroslavsky
Third District

Don Knabe
Fourth District

Michael D. Antonovich
Fifth District

April 2, 2008

RFS No.08-0006806

Tract Map No. 067377

Vicinity: Los Angeles

Tentative Tract Map Date: February 13, 2008 (6th Revision)

The County of Los Angeles Department of Public Health has no objection to this subdivision and Vesting. Tentative Tract Map 067377 is cleared for public hearing. The following conditions still apply and are in force:

1. Potable water will be supplied by the Golden State Water Company, a public water system.
2. Sewage disposal will be provided through the public sewer and wastewater treatment facilities of the Los Angeles County Sanitation District as proposed.

If you have any questions or need additional information, please contact me at (626) 430-5380.

Respectfully,

Becky Valenti, E.H.S. IV
Land Use Program



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

RAYMOND G. FORTNER, JR.
County Counsel

December 10, 2008

TELEPHONE
(213) 974-1930
FACSIMILE
(213) 613-4751
TDD
(213) 633-0901

Agenda No. 46
09/09/08

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012


**Re: PROJECT NUMBER TR067377-(2)
CONDITIONAL USE PERMIT NUMBER 2006-00158-(2)
SECOND SUPERVISORIAL DISTRICT/THREE-VOTE MATTER**

Dear Supervisors:

Your Board previously conducted a hearing regarding the above-referenced application for a conditional use permit to facilitate a 69-unit detached condominium project in the West Athens-Westmont Zoned District. At the completion of the hearing you indicated an intent to approve the proposed conditional use permit and instructed us to prepare the appropriate resolution for approval. Enclosed is an appropriate resolution for your consideration.

Very truly yours,

RAYMOND G. FORTNER, JR.
County Counsel

By 
ELAINE M. LEMKE
Principal Deputy County Counsel
Property Division

APPROVED AND RELEASED:


RAYMOND G. FORTNER, JR.
County Counsel

EML:vn

Enclosures

**FINDINGS OF THE BOARD OF SUPERVISORS
AND ORDER
CONDITIONAL USE PERMIT CASE NO. 2006-00158-(2)**

1. The applicant, South Coast Communities representing White Flower Nursery Company, is requesting a Conditional Use Permit, a Local Plan Amendment, Zone Change, and Vesting Tentative Tract Map to allow development of 69 detached condominium units with two covered parking spaces per unit on approximately 4.5 net acres in addition to an adjacent 2.3-acre private park primarily for the use of the development's residents. In addition to the park, other open space on the project property will be used for individual private areas, parkway landscaping, and landscaped common areas. The park, in conjunction with these other open areas, results in 39 percent of the subject property being reserved for open space uses.
2. The Los Angeles County Board of Supervisors ("Board") conducted a duly-noticed public hearing on September 9, 2008, on this proposed Conditional Use Permit Case No. 2006-00158-(2) ("CUP"); Local Plan Amendment Case No. 2006-00006-(2) ("Plan Amendment"); Zone Change Case No. 2006-00007-(2) ("Zone Change"); and Vesting Tentative Tract Map No. 067377 ("Vesting Map").
3. Previously, the Los Angeles County Regional Planning Commission ("Commission") conducted a duly-noticed public hearing on the CUP, Plan Amendment, Zone Change, and Vesting Map on December 19, 2007, March 19, 2008, and May 7, 2008.
4. The CUP is required to allow a planned residential development in compliance with Residential Planned Development ("RPD") zone provisions, including modification to building separation requirements from 10 feet to seven feet; reduction of the rear-yard setback for Unit 21 from 15 feet to five feet; and allowance of a six-foot-high wall within the front-yard setback.
5. The subject property is located at 1535 West 120th Street in the West Athens-Westmont Zoned District.
6. The irregularly-shaped property is 7.0 gross acres (6.87 net acres) in size with level topography.
7. Access to the proposed development is provided by 120th Street, which is an 80-foot-wide secondary highway as designated on the Los Angeles County Master Plan of Highways. The property is also located near a Metro Green Line station.

8. The project site is currently zoned R-1 (Single-Family Residential, 5,000 Square Feet Minimum Area), which was established by Ordinance No. 4558 and became effective on November 8, 1945. The project proposes the Zone Change to RPD-5000-10U (Residential Planned Development-5,000 Square Feet Minimum Required Lot Area-10 Dwelling Units per Net Acre).
9. The properties surrounding the subject property are zoned as follows: A-1 (Light Agricultural-5,000 Square Feet Minimum Area) to the north, and R-1 to the east, west, and south.
10. The subject property consists of four lots currently used as a nursery. Surrounding uses include freeway and railroad right-of-way to the north with single-family residences, multi-family residences, and unimproved parcels to the east, west, and south.
11. The project is consistent with the proposed RPD zoning classification. Detached units are permitted in the RPD zone pursuant to Section 22.20.460.B.3.a of the Los Angeles County Code ("County Code"). The proposed density of 69 dwelling units is consistent with the maximum dwelling units that can be accommodated by the RPD-5,000-10U zoning. The applicant has requested the CUP to allow a planned residential development in compliance with RPD provisions. As part of the RPD provisions, the applicant is requesting modification of the development standards related to building separation, rear-yard setback, and wall height in the front-yard setback as indicated in Finding No. 4 above.
12. The property is depicted in the RD 2.3 (Single-Family Residence with a Maximum Density of Eight Units per Acre) category on the Land Use Policy Map of the West Athens-Westmont Neighborhood Plan ("Plan"), a component of the Los Angeles Countywide General Plan ("General Plan"). This category of the Plan identifies areas particularly suitable for single-family detached housing units and is intended to maintain the character of existing low-density residential neighborhoods with densities up to eight units per net acre. The project proposes the related Plan Amendment to amend the Plan's Land Use Policy Map to change the subject property to RD 3.1 (Two-Family Residence with a Maximum Density of 17 Units per Acre). Under the proposed land use category, the property has a maximum density of 115 dwelling units. The project proposes 69 dwelling units which is below the maximum allowed in RD 3.1.
13. The Zone Change case is a related request to authorize change of zone from R-1 to RPD-5000-10U. The Zone Change to RPD will allow the applicant with a CUP to propose 69 dwelling units. It is the intent of the RPD designation to promote residential amenities beyond those expected under conventional development, to achieve greater flexibility in design, to encourage well-planned neighborhoods through creative and imaginative planning as a unit, and to provide for appropriate use of land which is sufficiently unique in its physical

characteristics or other circumstances to warrant special methods of development. No other development will be permitted on the property unless a new conditional use permit is first obtained.

14. The Vesting Map case is a related request to create one multi-family residential lot with 69 new detached condominium units on 7.0 gross acres.
15. Approval of the Vesting Map and CUP will not become effective unless and until the Board has approved the Plan Amendment and adopted an ordinance effecting the proposed Zone Change and such ordinance has become effective.
16. The applicant's site plan, labeled as Exhibit "A," depicts a gated residential development of one multi-family lot with 69 detached condominium units on approximately 4.5 acres and a private park lot on 2.3 acres for a total of 6.87 net acres. The residential units are arranged along six main internal 28-foot-wide private driveways, which, along with a fire lane, provide internal access. The main gated point of entry and exit for residents is 120th Street. To ensure adequate access for the Fire Department, the applicant is proposing a 64-foot-wide turning radius at the entry and exit gates. Pursuant to the County Code, two parking spaces are required for each of the 69 units totaling 138 spaces, and one guest parking space is required for every four dwelling units, totaling 18 guest spaces, resulting in a minimum of 156 parking spaces required for the project. The project exceeds the minimum, providing 175 parking spaces. The proposed parking includes 37 guest parking spaces (28 standard parking spaces and nine compact parking spaces), which will be located along four of the six private driveways. Of these 37 spaces, 10 will be located on the north side of the driveway fronting on 120th Street, 18 will be located to the rear of the project site on the south side of the driveway adjacent to Unit Nos. 22, 29, 36, and 43, and the nine compact parking spaces will be located along the easterly boundary line of the project site. Also, 138 parking spaces are provided within the two-car garages provided for the 69 detached condominiums. Individual units range in size from 1,760 to 1,956 square feet and are offered as three-story homes. The units reach a maximum height of 35 feet. As part of the 30 percent open space requirement for the RPD zone, the proposed development includes approximately 2.7 net acres (39 percent of the subject property) of landscaped areas and a private park lot. Included in the project's landscaped area are individual private areas, parkway landscaping, and landscaped common areas. Grading consists of 17,301 cubic yards of earthwork to be balanced on site. A maximum six-foot wall is proposed along the perimeter of the property to buffer it from adjacent residential homes.
17. The proposed project is located at an abandoned oil field site and a closed landfill. The property is being remediated under the jurisdiction of the California Regional Water Quality Control Board ("RWQCB")-Los Angeles Region, California Department of Toxic Substances and Control, and the Los Angeles County Department of Public Health ("Public Health"). An underground storage

tank on the property will be removed subject to oversight by the County Department of Public Works ("Public Works"). The remediation costs are estimated to exceed \$2.4 million. If any further contamination is found during construction, the permittee shall be required to stop construction and address the problem to the satisfaction of Public Health and RWQCB.

18. During the Commission hearing process, eight letters were received regarding the proposed development, including one letter requesting additional conditions, and five in support of the project. Staff from the Department of Regional Planning ("Regional Planning") received one telephone call from an adjoining property owner regarding the proposed density of the project. The caller stated he would prefer a development consisting of single-family lots on the subject property.
19. During the Commission's December 19, 2007 public hearing session, the Commission heard a presentation from staff as well as testimony from the applicant and the public regarding the proposed development. At that public hearing session, Regional Planning staff advised that the applicant was requesting continuance of the public hearing to allow the applicant to meet with the community who opposed the originally proposed R-2-DP zone change. The applicant also directly requested the Commission to grant a continuance.
20. During the December 19, 2007 public hearing session, a community member in opposition testified that the community had concerns that the initially proposed zone change to R-2-DP could create a precedent that would allow multi-family development in their neighborhood, which consists primarily of single-family residences. This testifier further stated that he was in favor of the proposed development, but was concerned that the proposed Zone Change was "spot zoning," which could allow multi-family units and destroy the character of the single-family residential community. At this hearing, the Commission asked the applicant and the community to meet and discuss alternative zone changes that the community would support and also asked the applicant to work with staff on revising the Zone Change request and the Vesting Map. After taking all testimony, the Commission continued the public hearing to March 19, 2008, to allow the applicant time to meet with the opposition and discuss alternative zone changes that the community would support and to work with staff on revising the Zone Change request and the Vesting Map.
21. On January 24, 2008 and February 2, 2008, the applicant's representatives met with the community member who had testified in opposition and others who opposed the project. Discussion at these meetings centered on the project's proposed Zone Change to R-2-DP. At the February 2, 2008 meeting, the applicant and community members agreed to the proposed RPD zoning.
22. A revised Tentative Map was submitted on February 12, 2008, and was cleared by the County's Subdivision Committee on April 7, 2008.

23. During the March 19, 2008 continued public hearing, the Commission heard a presentation from staff as well as testimony from the applicant and the public regarding the proposed development.
24. Staff advised that it received additional correspondence from more property owners. The correspondence included a letter from a homeowner who resides in the College Park Estates development, which adjoins the proposed development on the west, and indicated opposition to the project. The main concerns stated in the letter were the decreasing of yard space (front and back) and overcrowding of families in a small space. The other correspondence received was from a property owner supporting the proposed development. In this letter, the property owner stated, among other things, that the County should support this type of development to encourage investment of capital in this area and to provide much needed housing for future generations.
25. During the March 19, 2008 public hearing session, staff also advised the Commission that the applicant revised its Zone Change request from R-2-DP to RPD-5000-10U. The proposed RPD zone will allow the applicant to maintain the 69 dwelling units proposed while requiring the project to include at least 30 percent of the property as open space.
26. In its presentation on March 19, 2008, the applicant's representative stated he had met with members of the community who opposed the R-2-DP Zone Change. The representative also stated that he concurred with the community request for the Zone Change to avoid setting a precedent for future duplex or apartment development. The proposed project would not be considered "spot zoning" because its design is similar to the existing single-family detached housing units and is intended to maintain the character of existing low-density residential neighborhoods. While the proposed RPD zoning would allow for higher densities than those currently allowed, it would be consistent with policies and goals of the Plan, such as orderly development in under-utilized urban areas where services and infrastructure exist, and encouragement of infill of vacant parcels in residential areas.
27. One person testified on March 19, 2008, in support of the project commenting that he opposed the original zone change request for an R-2-DP zone, but approved of the RPD Zone Change request which he felt best enhanced the community and would remove a vacant parcel of land from the neighborhood. Two others testified on March 19, 2008, in support of the project stating that the new development would eliminate a blighted and abandoned parcel of land from the community. They also stated that the proposed project should be family oriented to maintain the character of the community.
28. During the March 19, 2008 public hearing session, the Commission expressed dissatisfaction with the proposed six-foot-high wall adjoining 120th Street because it did not want the existing neighborhood to be blocked out. The

Commission stated its desire for the proposed six-foot-high block wall to resemble elements of the homes. The Commission also inquired if patio trees could be planted in the proposed earthen berm to be constructed adjoining the wall. The applicant's representative stated he would work with the architect to offset the block wall or add wrought iron to the design of the wall.

29. The Commission then continued the public hearing to May 7, 2008, to allow time for the applicant to revise the design of the proposed six-foot-high block wall, revise the landscaping to add patio trees to the proposed earthen berm adjoining the wall, and directed staff to prepare draft resolutions for the proposed Plan Amendment and Zone Change and to prepare draft findings and conditions for approval.
30. During the May 7, 2008, continued public hearing, the Commission heard a presentation from Regional Planning staff as well as testimony from the applicant and the public regarding the proposed development.
31. Staff advised that the applicant had submitted revised architectural renderings that incorporated the Commission's comments from the March 19, 2008, public hearing session. This included block wall pop-out details and additional landscaping within the earthen berm adjoining the six-foot-high front-yard wall.
32. In its presentation on May 7, 2008, the applicant's representative stated he was confident that the revised landscaping and block wall designs were consistent with the Commission's requested revisions.
33. One person testified on May 7, 2008, in support of the project stating that the new development would benefit the community. He also stated that the applicant had cooperated with the community in developing a project that would meet the future housing needs of the community.
34. During the May 7, 2008 public hearing session, the Commission stated that the applicant had done an excellent job of depicting a "stepping" effect on the landscaping. The Commission also requested that landscaped trees be spaced more naturally within the earthen berm. The Commission also inquired if the proposed turf, landscaping, and trees would be drought-resistant or water-intensive plant materials. The Commission also inquired if the proposed six-foot-high front-yard block wall would maintain its height at grade or increase in height.
35. On May 7, 2008, after taking all testimony, the Commission closed the public hearing and adopted the Negative Declaration, approved Vesting Map No. 067377 with modifications, and CUP No. 2006-00158-(2). The Commission also approved resolutions recommending that the Board adopt Plan Amendment No. 2006-00006-(2) and Zone Change No. 2006-00007-(2).

36. The Board conducted its duly-noticed public hearing on September 9, 2008. The Board received a staff presentation describing the project and summarizing the Commission's actions. There was no public testimony offered in opposition to the project during the Board's hearing.
37. As a condition of approval of this grant, the permittee shall be required to comply with the applicable development standards of the RPD zone pursuant to Sections 22.20.460.A through 22.20.460.B.13.C of the County Code, except as otherwise modified in the conditions.
38. An Initial Study was prepared for this project in compliance with the California Environmental Quality Act (Public Resources Code section 21000 et seq.) ("CEQA"), the State CEQA Guidelines, and the Environmental Document Reporting Procedures and Guidelines of the County of Los Angeles. The Initial Study showed that there is no substantial evidence that the project may have a significant effect on the environment. Based on the Initial Study, a Negative Declaration has been prepared for this project. The Board adopted the Negative Declaration at the conclusion of its public hearing on the project.
39. This project has not been found to have "no effect" on fish and wildlife resources. Therefore, the project is not exempt from California Department of Fish and Game fees pursuant to section 711.4 of the California Fish and Game Code.
40. Approval of this grant is conditioned on the permittee's compliance with the attached conditions of approval, as well as the conditions of approval for Vesting Map No. 067377.
41. The applicant has demonstrated the suitability of the subject property for the proposed use. Establishment of the proposed use at such location is in conformity with good zoning practice. Compliance with the conditions of approval will ensure compatibility with surrounding land uses and consistency with all applicable General Plan policies.

BASED ON THE FOREGOING, THE BOARD OF SUPERVISORS CONCLUDES:

- A. That the proposed use with the attached conditions and restrictions will be consistent with the adopted general plan for the area;
- B. With the attached conditions and restrictions, that the requested use at the proposed location will not adversely affect the health, peace, comfort, or welfare of persons residing or working in the surrounding area; will not be materially detrimental to the use, enjoyment, or valuation of property of other persons located in the vicinity of the site; and will not jeopardize, endanger, or otherwise constitute a menace to the public health, safety, or general welfare;

- C. That the proposed site is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, landscaping, and other development features prescribed in Title 22 of the County Code, or as is otherwise required in order to integrate said use with the uses in the surrounding area;
- D. That the proposed site is adequately served by highways or streets of sufficient width and improved as necessary to carry the kind and quantity of traffic such use would generate and by other public or private service facilities as are required; and
- E. That the development plan complies with the intent of planned residential development to promote residential amenities beyond those expected under conventional development, to achieve greater flexibility in design, to encourage well-planned neighborhoods through creative and imaginative planning as a unit, and to provide for appropriate use of land which is sufficiently unique in its physical characteristics or other circumstances to warrant special methods of development.

THEREFORE, THE BOARD OF SUPERVISORS:

- 1. Certifies that the Negative Declaration for the project was completed in compliance with CEQA, and the State and County guidelines related to thereto and reflects the independent judgment of the Board;
- 2. Certifies that it reviewed and considered the information contained in the Negative Declaration and adopted it at the conclusion of its September 9, 2008 hearing on the project; and
- 3. Approves CUP Case No. 2006-00158-(2) subject to the attached conditions.

CONDITIONS OF APPROVAL
CONDITIONAL USE PERMIT CASE NUMBER 2006-00158-(2)

1. This grant authorizes the use of the seven-gross-acre subject property for a gated residential planned development of a maximum of 69 detached residential condominium units on one multi-family lot, as depicted on the approved Exhibit "A," subject to all of the following conditions of approval.
2. Unless otherwise apparent from the context, the term "permittee" shall include the applicant and any other person, corporation, or entity making use of this grant.
3. This grant shall not be effective for any purpose unless and until each of the following occurs:
 - a. The permittee, and the owner of the subject property if other than the permittee, have filed at the office of the Los Angeles County Department of Regional Planning ("Regional Planning") an affidavit stating that they are aware of, and agree to accept, all of the conditions of this grant and that said conditions have been recorded as required by Condition No. 6, and all required monies have been paid pursuant to Condition Nos. 7 and 9;
 - b. A resolution amending the West Athens-Westmont Neighborhood Plan Land Use Policy Map to change the subject property from RD-2.3 (Single-Family Residence-Eight Units or Fewer per Acre) to RD-3.1 (Two-Family Residence-17 Units or Fewer per Acre), as recommended in Local Plan Amendment Case No. 2006-00006-(2), has been adopted by the Los Angeles County Board of Supervisors ("Board") and has become effective; and
 - c. An ordinance changing the zoning of the property from A-1 (Light Agricultural-5,000-Square Feet Minimum Required Lot Area) to RPD-5,000-10U (Residential Planned Development-5,000-Square Feet Minimum Required Lot Area-10 Units per Net Acre), as recommended in Zone Change Case No. 2006-00007-(2), has been adopted by the Board and has become effective.
4. If any provision of this grant is held or declared to be invalid by a court of competent jurisdiction, the permit shall be void and the privileges granted hereunder shall lapse.
5. Notice is hereby given that any person violating a provision of this grant is guilty of a misdemeanor. Notice is further given that the Los Angeles County Regional Planning Commission ("Commission") or Hearing Officer may, after conducting a public hearing, revoke or modify this grant, if the Commission or Hearing Officer

finds that these conditions have been violated or that this grant has been exercised so as to be detrimental to the public's health or safety or so as to be a nuisance.

6. Prior to the use of this grant, the terms and conditions of the grant shall be recorded in the office of the Los Angeles County Recorder. In addition, upon any transfer or lease of the subject property during the term of this grant, the permittee shall promptly provide a copy of the grant and its terms and conditions to the transferee or lessee, as applicable, of the subject property.
7. The subject property shall be developed and maintained in full compliance with the conditions of this grant and any law, statute, ordinance, or other regulation applicable to any development or activity on the subject property. Failure of the permittee to cease any development or activity not in full compliance shall be a violation of these conditions. Prior to the use of this grant, the permittee shall deposit with the County of Los Angeles ("County") the sum of \$750. These monies shall be placed in a performance fund, which shall be used exclusively to compensate Regional Planning for all expenses incurred while inspecting the premises to determine the permittee's compliance with the conditions of approval. The fund provides for five biennial (every other year) inspections of the site. The inspections shall be unannounced.
8. If additional inspections are required to ensure compliance with the conditions of this grant, or if any inspection discloses that the subject property is being used in violation of any condition of this grant, the permittee shall be financially responsible for and shall reimburse Regional Planning for all additional inspections and for any enforcement efforts necessary to bring the subject property into compliance. Inspections shall be made to ensure compliance with the conditions of this grant as well as adherence to development in accordance with the approved site plan on file. The amount charged for additional inspections shall be the amount equal to the recovery cost at the time of payment (currently \$150 per inspection).
9. Within 15 days of the approval date of this grant, the permittee shall remit processing fees payable to the County in connection with the filing and posting of a Notice of Determination in compliance with section 21152 of the Public Resources Code for the proposed project, which includes Local Plan Amendment Case No. 2006-00006-(2) ("Plan Amendment"), Zone Change Case No. 2006-00007-(2) ("Zone Change"), Vesting Tentative Tract Map No. 067377 ("Vesting Map"), and this Conditional Use Permit Case No. 2006-00158-(2) ("CUP"). The project has not received a determination of "no effect" on fish and wildlife and the permittee is responsible for payment of fees established by the California Department of Fish and Game, in addition to a \$50 documentary handling fee charged by the County, both authorized pursuant to section 711.4 of the California Fish and Game Code. When a negative declaration is issued

for a project, the total current fee amount is \$1,926.75. Pursuant to the Fish and Game Code, no land use project subject to this requirement is final, vested, or operative until the fee is paid.

10. The permittee shall defend, indemnify, and hold harmless the County, its agents, officers, and employees from any claim, action, or proceeding against the County or its agents, officers, or employees to attack, set aside, void, or annul this permit approval, which action is brought within the applicable time period of Government Code section 65009 or any other applicable limitation period. The County shall notify the permittee of any claim, action, or proceeding and the County shall reasonably cooperate in the defense.
11. In the event that any claim, action, or proceeding as described above is filed against the County, the permittee shall within 10 days of the filing pay Regional Planning an initial deposit of \$5,000 from which actual costs shall be billed and deducted for the purpose of defraying the expenses involved in Regional Planning's cooperation in the defense, including but not limited to, depositions, testimony, and other assistance to the permittee or permittee's counsel. The permittee shall also pay the following supplemental deposits, from which actual costs shall be billed and deducted:
 - a. If during the litigation process, actual costs incurred reach 80 percent of the amount of deposit, the permittee shall deposit additional funds sufficient to bring the balance up to the amount of the initial deposit. There is no limit to the number of supplemental deposits that may be required prior to completion of the litigation; and
 - b. At the sole discretion of the permittee, the amount of an initial or supplemental deposit may exceed the minimum amounts defined herein.

The cost for collection and duplication of records and other related documents shall be paid by the permittee in accordance with Section 2.170.010 of the Los Angeles County Code ("County Code").

12. This grant shall expire unless used within two years after the recordation of the final map for the Vesting Map. In the event that the Vesting Map should expire without the recordation of a final map, this grant shall terminate upon the expiration of the tentative map for the Vesting Map. Entitlement to the use of the property thereafter shall be subject to the regulations then in effect.
13. No grading permit shall be issued prior to final map recordation, unless otherwise permitted by Regional Planning.
14. The subject property shall be graded, developed, and maintained in substantial compliance with the approved Vesting Map and with all requirements and conditions approved for the Vesting Map. An amended or revised vesting

tentative tract map approved for the Vesting Map, at the discretion of the Director of Regional Planning ("Director"), may constitute a revised Exhibit "A." All revised plans require the written authorization of the property owner.

15. All developments shall comply with the requirements of Title 22 of the County Code (Zoning Ordinance) and of the specific zoning of the subject property unless specifically modified by this grant, as set forth in these conditions, including the approved Exhibit "A," or a revised Exhibit "A" approved by the Director.
16. The permittee shall submit a copy of the project Covenants, Conditions and Restrictions ("CC&Rs") and/or maintenance agreements and covenants to Regional Planning for review and approval.
17. The following modifications to the development standards shall apply:
 - a. Modification to building separation from 10 feet to seven feet as depicted on the approved Exhibit "A" dated February 13, 2008;
 - b. Modification to rear-yard setback for Unit 21 from 15 feet to five feet as depicted on the approved Exhibit "A" dated February 13, 2008; and
 - c. Modification of the maximum permitted wall height of 3 1/2 feet in the front-yard setback to allow a six-foot-high masonry wall, as depicted on the approved Exhibit "A" dated February 13, 2008.
18. No structure shall exceed 35 feet in height, except for chimneys and rooftop antennas. Prior to issuance of any building permit, a site plan including exterior elevations and major architectural features shall be submitted to and approved by the Director as a revised Exhibit "A" to ensure compliance with this condition.
19. A minimum of 175 automobile parking spaces, as depicted on the approved Exhibit "A" (dated February 13, 2008), or on an approved revised Exhibit "A," shall be provided and continuously maintained on the subject property, and developed to the specifications listed in Section 22.52.1060 of the County Code. There shall be at least two covered parking spaces designated for each dwelling unit for a total of 138 spaces. There shall be at least 37 guest parking spaces distributed throughout the project site as depicted on the approved Exhibit "A" (dated February 13, 2008) or on an approved revised Exhibit "A." The required parking spaces shall be continuously available for vehicular parking only and shall not be used for storage, automobile repair, or any other unauthorized use. Continual availability and maintenance of required parking spaces shall be provided for in the CC&Rs.

20. Three copies of a landscape plan, which may be incorporated into a revised site plan, shall be submitted to and approved by the Director prior to the issuance of a grading permit and/or building permit. The landscape plan for the project shall include the open space area and details of the front-yard wall with 24-inch box trees within the wall's earthen berm, which should be consistent with the exhibit submitted to the Commission at the hearing on May 7, 2008. At least one tree of non-invasive species shall be included within the front yard of the multi-family lot and a minimum additional 14 trees shall be included within the project site.
21. All walls and gates as depicted on Exhibit "A" dated February 13, 2008, shall be required to include block wall pop-out details and additional landscaping within the earthen berm adjoining the six-foot-high front-yard wall.
22. All utilities shall be placed underground. Prior to the issuance of any building permit, the permittee shall provide evidence that contractual arrangements have been made with the local utilities to install underground facilities necessary to furnish services in the proposed development.
23. All structures shall comply with the requirements of the Division of Building and Safety of the Los Angeles County Department of Public Works ("Public Works").
24. Detonation of explosives or any other blasting device or material is prohibited unless required permits have been obtained and adjacent property owners have been notified.
25. All grading and construction on the subject property and appurtenant activities, including engine warm-up, shall be restricted to the hours between 7:00 a.m. and 6:00 p.m., Monday through Friday, and 8:00 a.m. to 5:00 p.m., Saturdays. No Sunday or holiday operations are permitted. All stationary construction noise sources shall be sheltered or enclosed to minimize adverse effects on nearby residences and neighborhoods. Generators and pneumatic compressors shall be noise-protected in a manner that will minimize noise inconvenience to adjacent residences.
26. The permittee shall implement a dust control program during grading and construction to the satisfaction of the Director and the Director of Public Works.
27. All material graded shall be sufficiently watered to prevent excessive amounts of dust during the construction phase. Watering shall occur at least twice daily with complete coverage, preferably in the late morning and after construction, or when grading activities are completed for the day. All clearing, grading, earth moving, or excavation activities shall cease during periods of high wind (i.e., greater than 20 mph average over one hour) to prevent excessive amounts of dust.

28. The permittee shall, upon commencement of any grading activity allowed by this grant, diligently pursue all grading to completion.
29. No construction equipment or vehicles shall be parked or stored on any existing public or private streets.
30. The permittee shall obtain all necessary permits from Public Works and shall maintain all such permits in full force and effect as required throughout the life of this permit.
31. All construction and development within the subject property shall comply with the applicable provisions of the County Building Code and the various related Mechanical, Electrical, Plumbing, Fire, Grading, and Excavation Codes as currently adopted by the County.
32. All structures, walls, and fences open to public view shall remain free of extraneous markings, drawings, or signage. These shall include any of the above that do not directly relate to the use of the property or that do not provide pertinent information about the premises. The only exceptions shall be seasonal decorations or signage provided under the auspices of a civic or non-profit organization.
33. In the event that any such prohibited extraneous markings occur, the permittee shall remove or cover said markings, drawings, or signage within 24 hours of such occurrence, weather permitting. Paint utilized in covering such markings shall be of a color that matches, as closely as possible, the color of the adjacent surfaces.
34. The permittee shall utilize water-saving devices and technology in the construction of this project consistent with the County Building and Plumbing Codes.
35. The property shall be developed and maintained in compliance with all applicable requirements of the Los Angeles County Department of Public Health ("Public Health"). Adequate water and sewage disposal facilities shall be provided to the satisfaction of said department.
36. Proposed remediation of the property shall be completed pursuant to the direction and requirements of the applicable government oversight agency. If during construction of the project additional soil contamination is suspected, construction in the area shall stop and appropriate health and safety procedures shall be implemented to the satisfaction of Public Health. If it is determined that contaminated soils exist, remediation shall be conducted to the satisfaction of Public Health and the California Regional Water Quality Control Board or other applicable oversight agency.

37. The permittee shall contact Public Works to proceed with the necessary requirements and actions to secure the proper and final closure of the former underground storage tanks located on the project site.
38. Prior to the issuance of any building permit, the permittee shall demonstrate compliance with state seismic hazard safety laws to the satisfaction of Public Works.
39. Prior to any demolition or alteration activities that may take place in the future, a licensed asbestos and lead-base paint contractor shall conduct an inspection of the structures.
40. Prior to the issuance of any grading permit, the project design shall provide for the filtering of flows to capture contaminants originating from the project site to the satisfaction of and approval by Public Works.
41. The permittee shall comply with the Standard Urban Stormwater Mitigation Plan requirements to the satisfaction of Public Works.
42. During construction, all construction-related truck trips, which exclude vehicles used by workers to and from the project site, shall be limited to off-peak commute periods.
43. During construction, the permittee shall obtain a transportation permit from the California Department of Transportation as necessary for any transportation of heavy construction equipment and/or materials which requires the use of oversized-transport vehicles on state highways.
44. Prior to the issuance of any grading or building permit, a site plan shall be submitted to and approved by the Director indicating that the proposed construction and associated grading complies with the conditions of this grant and the standards of the zone.
45. The following residential planned development conditions shall apply to this grant:
 - a. Area. This residential planned development shall include a parcel of land containing not less than five acres.
 - b. Density. When property in Zone RPD is developed pursuant to subsection B of Section 22.20.460, the number of units for each acre of the net area shall be equal to the number preceding the letter "U" in the suffix to the zoning symbol. Accordingly, the density for this 69-unit detached residential condominium project shall be 10 units per acre.

- c. Types of Structures:
 - i. Dwelling units shall be single-family detached; and
 - ii. The structures identified in "Exhibit A" on the private park lot shall be for the primary use of persons residing within the planned development project.
- d. Open Space. Open space shall be maintained in the development and shall comprise not less than 2.7 net acres (39 percent of the subject property). The open space shall include one or more of the following for the use and enjoyment of all of the occupants of the planned residential development:
 - i. The 2.3-acre park depicted on Exhibit "A" which shall be maintained as common open space; and
 - ii. Areas of scenic or natural beauty forming a portion of the proposed development.

The reservation of this open space shall be by public dedication, establishment of a maintenance district, common ownership, or other means satisfactory to the Director, to insure the permanent reservation and maintenance of the required open space.
- e. Development Schedule. Development of the project shall be in one phase so that development of the open-space areas, including the park, shall be contemporaneous to the construction of residential dwelling units.